

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 04-30046-MAP
	)	
THEODORE JARRETT, <i>et al.</i>	)	
_____	)	

**DEFENDANT JARRETT'S MOTION FOR SEVERANCE**

Defendant Theodore Jarrett ("Mr. Jarrett") moves, pursuant to Federal Rule of Criminal Procedure 14 ("Rule 14") and the Court's inherent case management authority, to sever his trial from the trial of the remaining defendants charged in the Superseding Indictment.

As explained in the accompanying Memorandum of Law, the complexity and confusion that will result from trying Mr. Jarrett with the other defendants in the Superseding Indictment would be substantially prejudicial to him and would preclude a reliable judgment as to Mr. Jarrett. Moreover, evidence admissible against other defendants warrants severance of Mr. Jarrett's trial.

**REQUEST FOR ORAL ARGUMENT**

Mr. Jarrett requests oral argument on this motion.

Respectfully Submitted,  
THEODORE JARRETT  
By his Attorneys,

/s/ Justin P. O'Brien

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Dated: March 3, 2006

**CERTIFICATION OF COMPLIANCE WITH LOCAL RULES 112.1, 7.1(A)(2)**

The undersigned counsel hereby certifies that a good faith attempt was made to eliminate and narrow the issues raised in this motion through calls between William H. Kettlewell and Assistant U.S. Attorney William Welch prior to filing this motion, but that the government could not agree to the requested relief.

/s/ William H. Kettlewell

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William H. Kettlewell

Dated: March 3, 2006

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that a true and correct copy of this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on March 3, 2006.

/s/ Justin P. O'Brien

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Justin P. O'Brien

Dated: March 3, 2006